



General Assembly

Substitute Bill No. 1108

January Session, 2015



AN ACT CONCERNING THE ZERO-TOLERANCE SAFE SCHOOL ENVIRONMENT ACT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-61aa of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) A person is guilty of threatening in the first degree when such
4 person (1) (A) threatens to commit any crime involving the use of a
5 hazardous substance with the intent to terrorize another person, to
6 cause evacuation of a building, place of assembly or facility of public
7 transportation or otherwise to cause serious public inconvenience, or
8 (B) threatens to commit such crime in reckless disregard of the risk of
9 causing such terror, evacuation or inconvenience; (2) (A) threatens to
10 commit any crime of violence with the intent to cause evacuation of a
11 building, place of assembly or facility of public transportation or
12 otherwise to cause serious public inconvenience, or (B) threatens to
13 commit such crime in reckless disregard of the risk of causing such
14 evacuation or inconvenience; [or] (3) commits threatening in the
15 second degree as provided in section 53a-62, as amended by this act,
16 and in the commission of such offense [he] such person uses or is
17 armed with and threatens the use of or displays or represents by [his]
18 such person's words or conduct that [he] such person possesses a
19 pistol, revolver, shotgun, rifle, machine gun or other firearm; or (4)

20 violates subdivision (1) or (2) of this subsection with the intent to cause
21 an evacuation of a building or the grounds of a public or nonpublic
22 preschool, school or institution of higher education during preschool,
23 school or instructional hours or when a building or the grounds of
24 such preschool, school or institution are being used for preschool,
25 school or institution-sponsored activities. No person shall be found
26 guilty of threatening in the first degree under subdivision (3) of this
27 subsection and threatening in the second degree upon the same
28 transaction but such person may be charged and prosecuted for both
29 such offenses upon the same information.

30 (b) For the purposes of this section, "hazardous substance" means
31 any physical, chemical, biological or radiological substance or matter
32 which, because of its quantity, concentration or physical, chemical or
33 infectious characteristics, may cause or significantly contribute to an
34 increase in mortality or an increase in serious irreversible or
35 incapacitating reversible illness, or pose a substantial present or
36 potential hazard to human health.

37 (c) Threatening in the first degree is a class D felony, except that a
38 violation of subdivision (4) of subsection (a) of this section is a class C
39 felony.

40 Sec. 2. Section 53a-62 of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective October 1, 2015*):

42 (a) A person is guilty of threatening in the second degree when: (1)
43 By physical threat, such person intentionally places or attempts to
44 place another person in fear of imminent serious physical injury, (2)
45 such person threatens to commit any crime of violence with the intent
46 to terrorize another person, [or] (3) such person threatens to commit
47 such crime of violence in reckless disregard of the risk of causing such
48 terror, or (4) violates subdivision (1), (2) or (3) of this subsection and
49 the person threatened is in a building or on the grounds of a public or
50 nonpublic preschool, school or institution of higher education during
51 preschool, school or instructional hours or when a building or the

52 grounds of such preschool, school or institution are being used for
53 preschool, school or institution-sponsored activities.

54 (b) Threatening in the second degree is a class A misdemeanor,
55 except that a violation of subdivision (4) of subsection (a) of this
56 section is a class D felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	53a-61aa
Sec. 2	October 1, 2015	53a-62

JUD *Joint Favorable Subst. -LCO*

ED *Joint Favorable*